

**AN ORDINANCE BY
COUNCILMEMBER JULIA EMMONS AND C. T. MARTIN
AS SUBSTITUTED BY THE PUBLIC SAFETY
AND LEGAL ADMINISTRATION COMMITTEE**

AN ORDINANCE TO ADD NEW SECTIONS 10-11, 10-12 AND 10-13 TO CHAPTER 10, ARTICLE I AND TO AMEND CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-109 SO AS TO PROHIBIT INDIVIDUALS UNDER 21 YEARS OF AGE FROM ENTERING CERTAIN PREMISES WHERE ALCOHOL IS CONSUMED OR SOLD DURING REGULAR HOURS OF OPERATION, UNLESS LAWFULLY EMPLOYED THEREIN; PROHIBIT OPERATORS OF CERTAIN ESTABLISHMENTS WHERE ALCOHOL IS CONSUMED OR SOLD FROM PERMITTING THE ENTRANCE OF INDIVIDUALS UNDER 21 YEARS OF AGE DURING REGULAR HOURS OF OPERATION, UNLESS THE INDIVIDUAL UNDER 21 YEARS OF AGE IS LAWFULLY EMPLOYED THEREIN; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in maintaining the public safety and welfare of the citizens of the City of Atlanta; and

WHEREAS, the City of Atlanta is concerned that those under the age of 21 are drinking or purchasing alcohol from establishments that sell alcohol in the City of Atlanta; and

WHEREAS, the City of Atlanta believes the efforts of alcohol licensed establishments thus far have not been adequate or consistent enough to address this problem.

WHEREAS, the City wishes to act upon the recommendations of the Commercial Areas and Public Safety Task Force.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1.

That the Code of Ordinances be amended to add a new Section 10-11 to Chapter 10, Article I, which states:

Section 10-11. Persons under specified ages forbidden to enter, remain in or loiter at certain licensed premises.

No person under the age of twenty-one (21) years shall enter, remain in or loiter on any licensed premises, as herein defined, licensed for the sale of alcoholic beverages by the drink at retail, or sale of alcoholic beverages for consumption on the premises; nor shall any licensee or either such licensed premises, or any person in charge thereof, or on duty while employed by the licensee therein, permit or allow any person under the age specified with respect thereto to remain in or loiter in or about such place.

Provided, however, it is lawful for persons who are (18) years of age or older that provide entertainment to enter and to remain in any licensed premises, but only during and in the course of their employment as entertainers. Provided further, that it is lawful for persons who are eighteen (18) years of age or older to sell, serve, possess or dispense alcoholic beverages in the course of their employment in any licensed premises in accordance with O.C.G.A. §3-3-24(a), or in any other place where alcoholic beverages are lawfully present, so long as such place is the place of employment for such person under twenty-one (21) years of age.

This Section shall not prohibit persons under 18 years of age who are employed in supermarkets, convenience stores, breweries, or drugstores from selling or handling alcoholic beverages which are sold for consumption off the premises in accordance with O.C.G.A. §3-3-24(b). However, the foregoing shall not permit the sale or distribution of any alcoholic beverages to any person under the ages specified for sale of alcoholic beverages.

SECTION 2.

That the Code of Ordinances be amended to add a new Section 10-12 to Chapter 10, Article I, which states:

Section 10-12. Exceptions from restriction on entering or remaining.

It shall not be unlawful for, nor shall Section 10-11 be construed to restrict, any person under the age of twenty-one (21) years from entering or being:

- (1) upon the premises of any restaurant, as herein defined, or in any railroad observation or club car or any airplane of a commercial airline, notwithstanding that such premises may also be licensed for the sale of alcoholic beverages by the drink or for the sale of alcoholic beverages for consumption on the premises or that alcohol beverages, are prepared, mixed or dispensed and served and consumed therein.
- (2) in any building, a part or portion of which is used as a licensed premises, as herein defined, provided such licensed premises is separated or partitioned from the remainder of said building and access to such place through a doorway or doorways or other means of ingress can be controlled to prevent persons under the ages specified with respect thereto in Section 10-11 from entering therein.
- (3) in any public stadiums, sports coliseums, government centers, auditoriums, convention centers, and fairgrounds and parks for which a valid license is obtained, notwithstanding that such premises or any portion thereof may be licensed for the sale of distilled spirits, wine or malt beverages by the drink for consumption on the licensed premises or that such products are dispensed and served and consumed therein; provided, that the person under the age of twenty-one (21) years is attending a lawful activity, show, exhibition, performance or event on the premises or is required to be present as a condition of his employment.
- (4) upon the licensed premises of a tasting room when in the immediate company of at least one of his parents, or of his legal guardian.

(5) upon the licensed premises of a lounge when in the immediate company of at least one of his parents, or of his legal guardian.

(6) upon the licensed premises of a supermarket, convenience store, brewery, drugstore, package store, brewpub, private club or open air cafe as defined herein.

SECTION 3.

That the Code of Ordinances be amended to add a new Section 10-13 to Chapter 10, Article I, which states:

Section 10-13. Posting signs as to restrictions.

Every licensee herein referred to shall keep a sign conspicuously posted over or near each entrance to any place from which persons under twenty-one (21) years are herein restricted giving public notice of such fact. The wording and size of such signs shall be in accordance with such regulations as the Chief of Police may prescribe.

SECTION 4.

That Chapter 10, Article II, Division 2, Section 10-109(a)(2) be amended by deleting the Section and adding a new Subsection stating the following:

(2) The selling to or serving of any person below the age of 21 years; or permitting the entrance of anyone under 21 years of age in violation of Section 10-11; or failure to post a sign pursuant to Section 10-13.

SECTION 5.

If it shall be found that any ordinance or parts of any ordinance are in conflict herewith, then those sections contained herein shall be deemed controlling.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

JAN 16, 2001
JAN 23, 2001

RCS# 2569
1/16/01
5:01 PM

Atlanta City Council

Regular Session

00-O-2066

Prohibit patrons under 21 from entering
bars/nightclubs during regular hrs.

~~ADOPT/AMEND/SUB~~

ON SUBSTITUTE AS AMENDED

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 0

NV McCarty	Y Dorsey	NV Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

00-O-2066

00-0-2066

(Do Not Write Above This Line)

AN ORDINANCE BY

COUNCILMEMBER JULIA EMMONS

AN ORDINANCE TO ADD A NEW SECTION 10-11 TO CHAPTER 10, ARTICLE I AND TO AMEND CHAPTER 10, ARTICLE II, DIVISION 2, SECTION 10-109 SO AS TO PROHIBIT PATRONS UNDER 21 YEARS OF AGE FROM ENTERING NIGHTCLUBS AND BARS DURING REGULAR HOURS OF OPERATION; TO PROHIBIT OPERATORS OF NIGHTCLUBS AND BARS FROM PERMITTING THE ENTRANCE OF PATRONS UNDER 21 YEARS OF AGE DURING REGULAR HOURS OF OPERATION; AND FOR OTHER PURPOSES.

ADOPTED BY

JAN 16 2001

COUNCIL

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred 12/4/00

Referred To: Public Safety & Legal Admin.

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair C. T. Martin

Referred to

Committee P. S. L. A

Date 12/12/00

Chair C. T. Martin

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee P. S. L. A

Date 1/16/01

Chair C. T. Martin

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

- ☒ 2nd ☐ 1st & 2nd ☐ 3rd
 Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

JAN 16 2001

ALBANY CITY CLERK

CERTIFIED

JAN 16 2001

Ruth Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

JAN 23 2001

[Signature]
 [Signature]